



**SURF CITY TOWN COUNCIL REGULAR MEETING**  
**Monday, September 9, 2019**  
**Surf City Town Hall – 201 Community Center Drive**

- I. CALL TO ORDER – Douglas C. Medlin, Mayor
- II. INVOCATION – William J. (Buddy) Fowler, Mayor Pro-Tem
- III. PLEDGE OF ALLEGIANCE - Donald R. Helms, Councilman
- IV. BEAUTIFICATION & APPERANCE COMMITTEE AWARDS-  
Home of the Month: Wayne & Janice Jenó at 473 Landsdowne Circle  
Business of the Month: Bumble Bee Market at 330 N. New River Drive

V. MAYOR'S REMARKS –

*We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunities to speak during the meeting. Comments should be limited to three minutes each and must be directly issue-oriented with agenda items for this meeting, or an issue upon which the Council has control.*

*Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.*

*In accordance with the Council's adopted Rules of Procedures, Councilmembers shall reserve responses, if any, for the Council Forum on the agenda.*

VI. ADOPTION OF THE AGENDA

**Mayor:** With no other items being considered separately, a motion to adopt the Meeting Agenda is in order.

VII. APPROVAL OF THE CONSENT AGENDA –

- 1. Approval of the Meeting Minutes- August 6 & August 16, 2019
- 2. Annex 3: Hurricane Re-Entry Plan
- 3. 2019 Meeting Schedule Update

*\*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.*

**Specific Action Requested:** It is requested that the Town Council approve the consent agenda as presented.

VIII. PUBLIC HEARING –

4. Contiguous Annexation Request – Tortuga Drive by Anthony Ricciardi; 1.406 +/- Acres; Pender County Pin# 4235-25-7470-0000

*Open Public Hearing*

*Public Comment Period*

*Close Public Hearing*

**Specific Action Requested:** It is requested that the Town Council approve the annexation ordinance, zoning classification as MU Mixed Use, and the consistency statement.

- IX. PUBLIC COMMENT – Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting

X. MANAGER’S REPORT–

XI. NEW BUSINESS-

5. Resolution on Directing the Clerk to investigate a petition for satellite voluntary annexation and set a public hearing: 3.7 +/- acres on Hwy 210 E. Pender County Pin# 4225-57-7163-0000

**Specific Action Requested:** It is requested that the Town Council adopt the resolution directing the clerk to investigate the petition for contiguous annexation, adopt the

resolution setting the public hearing for October 1st at 6:30pm.; and send the property to the Planning Board for zoning recommendation.

6. Site Plan Approval: Surf City Pet Hospital

**Specific Action Requested:** It is requested that the Town Council approve the site plan as presented.

7. Resolution 2019-23: Easements by Condemnation

**Specific Action Requested:** It is requested that the Town Council approve the site plan as presented.

XII. COUNCIL FORUM-

XIII. TOWN ATTORNEY REPORTS-

XIV. ADJOURNMENT-



## **SURF CITY TOWN COUNCIL REGULAR MEETING MINTUES**

**Tuesday, August 6, 2019**

**Surf City Town Hall – 201 Community Center Drive**

### **Councilmembers Present:**

**Mayor Douglas C. Medlin**

**Mayor Pro-Tem William J. Fowler**

**Nelva Albury**

**Donald Helms**

**Teresa Batts**

**Jeremy Shugarts**

- I. CALL TO ORDER – Douglas C. Medlin, Mayor
- II. INVOCATION – William J. (Buddy) Fowler, Mayor Pro-Tem
- III. PLEDGE OF ALLEGIANCE - Donald R. Helms, Councilman
- IV. BEAUTIFICATION & APPERANCE COMMITTEE AWARDS-  
Home of the Month: Jeffrey & Susan Ashton at 1610 S. Shore Drive  
Business of the Month: Island Family Medicine at 2540 E. Hwy 210

### **V. MAYOR'S REMARKS –**

*We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunity to speak during the meeting. Comments should be limited to three minutes each and must be directly issue-oriented with agenda items for this meeting, or an issue upon which the Council has control.*

*Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.*

*In accordance with the Council's adopted Rules of Procedures, Councilmembers shall reserve responses, if any, for the Council Forum on the agenda.*

VI. PROCLAMATION FOR TAVISH WITHERILL

VII. ADOPTION OF THE AGENDA

Mr. Helms made a motion to adopt the agenda. Mr. Shugarts seconded the motion and it was carried.

VIII. APPROVAL OF THE CONSENT AGENDA –

1. Approval of the Meeting Minutes- June 4<sup>th</sup>, June 21<sup>st</sup>, July 1<sup>st</sup>, July 19<sup>th</sup>, 2019
2. Beautification & Appearance Committee Appointments
3. Resolution No. 2019-18- Approval of Rules of Procedure
4. Ordinance Amendment No. 2019-06- Section 17-114 Parking In Designated Parking Areas

Mr. Helms made a motion to adopt the consent agenda. Mrs. Albury seconded the motion and it was carried.

VIII. PUBLIC HEARING –

5. Zoning Text Amendment- Ordinance Amendment No. 2019-05 Sec. 6.0 Regulations of Signs

Public Hearing Open 6:54pm

Mike Dickson with Community Development introduced the text amendments to the sign ordinance.

Desiree Charing asked about signage attached to a home.

Mr. Dickson replied it could be free standing or attached to the dwelling.

Public Hearing Closed 6:58pm

Mrs. Batts made a motion to remove the waiver clause “section III” from the document and approve as presented. Mr. Fowler seconded the motion and it was carried.

IX. PUBLIC COMMENT – Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting.

Kathleen Sumner 204 B N. Boca Bay Drive thanked the board for their forward thinking, addressed concerns with the parks and recreation department, and public works department.

Sharon Olsen 9108 9th St. addressed the board with concerns regarding the trash can ordinance and the timeframes.

Richard Vessov 2503 S. Shore Drive addressed issues with the website, the monetary cost of the “stay off the dunes signs,” and potential public parking areas.

Jeff Meyer 2112 N. New River Drive invited all candidates to come to a meet and greet at the Brass Pelican on September 22 at 3:30pm.

Peter Sloan 502 Trellis Road questioned policies for appointment to advisory boards.

Marty Martin 1825 N. New River Drive thanked the council for their time.

Phil Durr 1714 N. New River Drive addressed concerns with handi-cap access to the beach, and water at the Nelva Park access.

#### IX. MANAGER’S REPORT–

Mrs. Loftis requested a budget ordinance amendment regarding a Walmart Grant to the police department.

Mr. Helms made a motion to approve the budget ordinance amendment. Mr. Shugarts seconded the motion and it was carried.

The plans for the new town hall will be revealed at the September 14<sup>th</sup> groundbreaking. At the August workshop there will be a presentation from Highfill Engineers regarding Juniper Swamp. We are making upgrades to the waste treatment plant currently. Staff is re-visiting the trash can issues, and Waste Industries was recently purchased by GFL. We are working with the new company to hopefully offer more services. We are waiting on guidance from FEMA on the new berm.

#### X. NEW BUSINESS-

6. Text Amendment – Ordinance Amendment No. 2019-07 Sec. 3-6 Keeping certain animals prohibited, Chapter 5 article III Building and building regulations, & Chapter 16 Streets & sidewalks

Mr. Helms made a motion to approve the text amendments. Mr. Fowler seconded the motion and it was carried.

7. Resolution on Directing the Clerk to investigate a petition for contiguous voluntary annexation and set a public hearing: 1.406 +/- acres on Tortuga Drive Pender County Pin# 4235-25-7470-0000

Mrs. Albury made a motion to approve the resolution directing the clerk to investigate the annexation, send the annexation to the planning board for zoning classification and set the public hearing for September 3<sup>rd</sup> at 6:30pm.

## XI. COUNCIL FORUM-

Mrs. Batts stated she personally thought that Surf City has come a long way in 10 months after surviving a hurricane. It takes patience when dealing with federal agencies and funding. The most important thing we have learned is to be pro-active, which James Horne has been working with staff on training and monitoring weather conditions. He is also working on our hazard plan and this will move us forward to be better prepared. She gave an update on the federal beach nourishment project and potential federal funding.

Mr. Fowler also supported Mrs. Batt's comments, and how far we have come. He stated we have tried working with CAMA on handi-cap access but thus far we have been denied due their restrictions. He thanked all the volunteers in Surf City specifically the Long Board Association. He stated he walks the beach every morning and we are blessed for what we have, and those who help us. He asked everyone to look at the positive and where we have been and where we are going.

Mrs. Albury thanked Julian Dugan a public works employee for assisting a handi-cap employee get back on the sidewalk. She let everyone know that the town has four beach wheelchairs for free rental. She spoke on not giving tickets for trash now, they need a timeframe till we get the situation worked out. She officially stated she will not be running in the November 2019 election. She stated she has been on the board since 1994 and this town has grown to great things.

Mr. Shugarts thanked Ashley for working on the bridge sweeping. He thanked Chad & Stephanie for the July 3<sup>rd</sup> ceremony. He spoke on the stop sign addition in the Arbors. He gave a brief overview of a meeting with Camp Lejeune officials regarding the actions of marines on our beach.

Mr. Helms thanked everyone for coming out. He spoke on the devastation of the hurricane and how far we have come in the 10 months since hurricane Florence, and how the board understands we still have a way to go.

Mayor gave an update on our Canine Kayda, she was recently diagnosed with cancer just a little over a week ago. She has been scheduled for surgery and radiation with NCSU. We ask that you keep both Kayda and Cpl. Peterson in your thoughts and prayers during this time. She is part of our family here at the town. He gave a police department update. He spoke of recent meetings with James Horne and the board regarding hazard plan upgrades and communication during storms.

## XII. TOWN ATTORNEY REPORTS-

Mr. Edes thanked the council for the opportunity to serve. He spoke that he has been working with the Army Corps in Savannah and seems very positive with the funding of the federal beach project. He spoke that for all lawsuits moving forward condemnation the town will have to pass a resolution to move forward. He gave a brief overview on 160-19 will be repleaded and replaced in January 2021, this will reflect on amendments to the town ordinance.

### **XIII. ADJOURNMENT-**

Mr. Helms made a motion to adjourn. Mr. Albury seconded the motion and it was carried.





# TOWN OF SURF CITY

## August 16, 2019 WORK SESSION MINUTES

9:00 AM / Friday, August 16, 2019

Surf City Welcome Center, 102 N. Shore Drive

### **Council Members Present:**

Douglas C. Medlin, Mayor

William J. "Buddy" Folwer, Mayor Pro-Tem

Nelva Albury

Donald Helms

Teresa Batts

Jeremy Shugarts

### **Call to Order**

Mayor Douglas C. Medlin, Mayor

### **Invocation & Pledge**

### **Introductions & Welcome**

### **Work Plan**

1. Juniper Swamp Presentation
2. House Bill 95
3. Annex 3: Re-Entry Plan
4. Preliminary Town Hall Design

### **Town Council Work Plan Items:**

#### **1. Juniper Swamp Presentation**

Vance Brooks & Ray Cox, Highfill Engineering & Chris McGee, Soil Scientist, presented options for additional WWTF non-discharge disposal capacity possibilities moving forward and have a review of current standings and statics.

The Council came to the consensus to move forward with WTP iron and brine upgrades on the P1 and P5 sites at Juniper Swamp. To look at trading access to game lands for use of other property owned by the state of N. Carolina. To investigate two other parcels of land for purchase.

#### **2. House Bill 95**

Mrs. Loftis gave an overview of the potential projects to be funded with House Bill 95.

1. Stormwater Infiltration System

2. Berm Replacement
3. Sound Side Park – Living Shoreline & Stormwater Conveyance
4. Emergency Vehicle Access Ramp Improvements
5. Stormwater Improvements

### **3. Annex 3: Re-Entry Plan**

Mr. Horne presented the new re-entry plan.

The Council came to the consensus to move forward with the plan as presented.

### **4. Preliminary Town Hall Design**

### **5. NCDOT Additional Signage**

Mrs. Loftis discussed additional signage to be added by NCDOT on the island.

The Council came to the consensus to move forward with the additional signage but to have the traffic routed to Goldsboro Ave.

**Town of Surf City**  
**Emergency Operations Plan**  
**Re-Entry Plan | Annex 3**

**INTRODUCTION (LARGE SCALE RE-ENTRY)**

Re-entry is an important step into the recovery phase of the disaster cycle. Returning to a sense of normalcy, perhaps even a “new normal,” is vital and necessary for recovery and rebuilding to begin. It is the purpose and intent to expedite the re-entry process as quickly as possible, so long as it is done with life safety and public health in mind.

The decision to initiate re-entry operations will come from the Elected Body, under advisement of key staff, after careful and deliberate assessment of observed conditions during each of the Priority Phases. Factors considered when making these decisions include, but are not necessarily limited too:

- Are public roadways passable and free of debris, sand, standing water, and downed utility wires?
- Are crews working to restore services causing an inadvertent hazardous condition to exist (large vehicles with limited visibility, high volume of hazardous equipment in congested areas, etc)?
- Are utilities such as water, sewer, and power restored and intact?
- Are hazards present that may contribute to bodily injury or death?

Every incident has its own dynamics. As such, each situation will dictate the speed and order of re-entry operations. As stated previously, public safety and health are the guiding factors under consideration when conducting re-entry tasks.

## CONCEPT OF OPERATIONS (LARGE SCALE RE-ENTRY)

### A. PURPOSE

There are four distinct Re-Entry Priority Phases. This tiered approach allows for controlled and coordinated re-entry into controlled areas, while effectively addressing safety and security needs.

### B. RE-ENTRY PRIORITY LEVELS AND REQUIRED CREDENTIALS, GENERALLY

<b><u>Priority Phase</u></b>	<b><u>Purpose</u></b>	<b><u>Applies To</u></b>	<b><u>Entry Credentials Required</u></b>
1	Emergency Operations	All Response Staff	ICS-204 issued by the EOC
2	Critical Infrastructure Inspections and Repair	Debris Mgmt Utility Providers	Company Vehicle/ID
		General Gov't Staff	ICS-204 issued by the EOC
3	Allow access onto the island by vetted parties with purposeful reason only.	Homeowners Long Term Renters Property Managers Business Owners	Keycard OR Proof of ownership/residency
		Press and Media	Pass issued by the EOC (Purple)
		Contractors	Pass issued by Re-Entry Staff (Yellow)
4	Normal operations	All	None

## A. PRIORITY PHASE 1, EXPLAINED

During Priority Phase 1, only incident response crews will be allowed access into the evacuated areas. This is usually limited to law enforcement personnel charged with security details and Reconnaissance Teams tasked with gathering intelligence on conditions within the controlled area. Information collected is relayed to the EOC, where it will be used for decision making, planning future operations and objectives, and charting progression through the re-entry phases.

### A. REQUIREMENTS FOR ENTRY SHALL BE:

- A valid ICS-204 form, signed by the Incident Commander or Operations Section Chief, issued in the current Operational Period.
- An expired ICS-204 does not meet this requirement. Any staff member attempting to enter a prohibited area using an expired ICS-204 will be directed to the EOC.

## B. PRIORITY PHASE 2, EXPLAINED

Transition to Priority Phase 2 will begin after the Reconnaissance Teams have completed their assignments and critical information has been received and processed by EOC staff. When appropriate, pre-staged assets will be permitted to enter the controlled area to begin inspection and repair of critical infrastructure. These resources include; utility service providers (electrical, water, sewer, communications, etc.); debris management providers; response personnel who are operating under a tasking ordered by the EOC.

### A. REQUIREMENTS FOR ENTRY SHALL BE:

For all utility service and debris management providers:

- Company vehicle, company identification, and a valid state issued driver's license

For response staff:

- A valid ICS-204 form, signed by the Incident Commander or Operations Section Chief, issued in the current Operational Period.
- An expired ICS-204 does not meet this requirement. Any staff member attempting to gain entry into a prohibited area will be directed to the EOC.

It is not an uncommon practice for utility companies and debris management firms to hire sub-contractors to assist in fulfilling infrastructure inspection and repair, especially during major incidents or instances of widespread damage. This can sometimes place re-entry staff in a difficult position, as there is usually a lack of physical evidence to support statements made by individuals claiming to be contracted by utility service providers. If, at any time, re-entry staff are in doubt of an individual's truthfulness or authenticity, they are encouraged to direct the individual in question to a Validation Site or the EOC for further vetting.

## C. PRIORITY PHASE 3, EXPLAINED

The most dynamic of the phases, Priority Phase 3 is the introduction of homeowners, long-term renters, property managers, business owners, members of the media, and general contractors under contract or agreement with a homeowner back into the controlled areas. Operations will only move into Priority Phase 3 when it is determined that:

- Conditions are safe for non-response individuals to be present in the controlled area.
- Roadways are free from debris, standing water, downed utility lines, etc.
- Public services are operational (water, sewer, power, fire suppression, security, etc).
- Response and repair crews aren't creating an overtly hazardous environment.

**During this phase, those within the controlled area will still be held responsible to observe any curfews enacted by the Governing Body.**

## B. REQUIREMENTS FOR ENTRY SHALL BE:

For homeowners, long-term renters, business owners, and property managers:

- A Key Card that has been registered with Town Hall.  
(accepted at the entry control point(s))  
**OR**
- Proof of residency such as a recent utility or tax bill,  
(accepted at validation site)

General contractors will be directed to an identified Validation Site where a staff member will establish the following:

- Verifiable evidence that the individual is under contract or agreement with a homeowner to provide services exists. This requirement is fulfilled upon presentation of a contract, work order, or other document that bears the name and address of said homeowner and a statement of work. If under verbal contract, a staff member **MUST** make verbal contact with the homeowner to validate the information provided by the contractor.
- Once verified, the contractor will be issued a temporary paper pass that is valid for 72 hours from time of issuance. Upon the pass expiration, the contractor will have to return to the validation site to be reassessed.

Members of the media will be directed to the EOC or another designated facility where staff will ascertain where the media crew wishes to go, what type of product is being produced, expected length of time in the area, and other information deemed relevant. Upon the collection of this information, the crew will be issued a temporary paper pass signed by either the Incident Commander or Operations Section Chief.

## D. PRIORITY PHASE 4, EXPLAINED

Once deemed feasible, entry control will be lifted and the controlled area will be opened to the general public. When determining the advancement from Priority Phase 3 to Priority Phase 4, topics to be considered are:

- Have home and business owners been afforded ample opportunity to secure their structures to a sufficient degree so as to mitigate any malicious damage or losses from theft?
- Are the public services able to support the additional system loads associated with the increase in population?
- Are there any unusual hazardous conditions present that may contribute to injury or death?

## E. TIMING

While the need for exigency exists with regards to returning to a state of normalcy, the process must be executed carefully and with due regard for public interest and safety. With each incident bringing its own dynamics, there is no way to accurately define a set timeline for advancement between the re-entry phases. However, it shall be the intent to progress through the process as quickly as safety allows.



## F. COORDINATION WITH SURROUNDING JURISDICTIONS

It is the intent of the Town of Surf City to work with our surrounding jurisdictions while moving through the re-entry process. Where possible, staff from all municipalities will work together to reach amicable agreements related to re-entry operations and timing.

Generally, staff from the Town of Topsail Beach will be co-located at the main Entry Control Point for the purpose of force multiplication and Topsail Beach entry process control. Staff from the Town of North Topsail Beach may also be co-located as well, should the situation dictate.



## G. MAIN ENTRY CONTROL POINT

For the purposes of this plan, the Main Entry Control Point shall be located in the vicinity of the Surf City Bridge mainland round-about. Absolute and/or alternate locations will be determined by the Operations Section Chief and/or the Re-Entry Branch Director.

## H. SECONDARY ENTRY CONTROL POINTS

Secondary Entry Control Points may be established at the northernmost point of N New River Drive, at or near the Town of North Topsail Beach municipal boundary, and at the southernmost point of S Shore Drive, at or near the Topsail Beach municipal boundary. Staffing of these secondary posts will be left to the discretion of the Incident Commander and will be based upon incident specifics.

## I. VALIDATION SITES

For those wishing to gain access to controlled areas, but do not possess requisite re-entry documentation, they will be directed to established Validation Sites where their information and intentions can be accurately validated.

- **Contractors** will be directed to the **Contractor Validation Site** located at the Surf City Community Center (201 Community Center Drive).
- **Individuals** who are entitled to a Key Card, but who may not have it in their possession will be directed to the **Key Card Holder Validation Site** located at Faith Harbor Church (14201 NC Hwy 50)

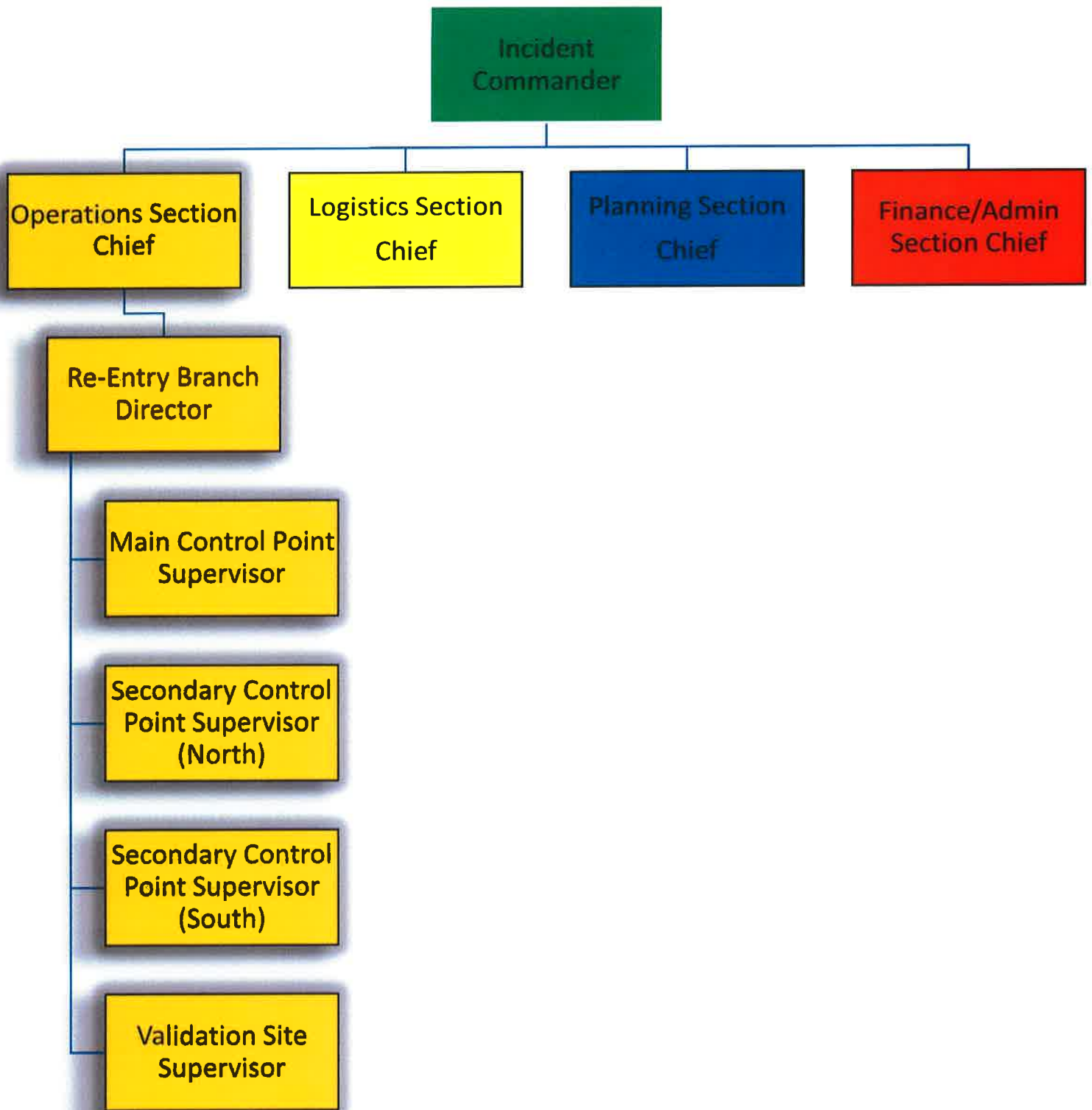
Additional or alternate Validations Sites may be established as needed, by the Incident Commander, Operations Section Chief, and/or Re-Entry Branch Director.

## J. STAFFING, SECURITY, EQUIPMENT REQUIREMENTS

The Re-Entry Branch Director will ensure that each Entry Control Point and Validation Site is adequately staffed to support maximum traffic flow. The Branch Director will also ensure that each location has a security contingent on-site to ensure staff safety and security. Furthermore, the Branch Director, in coordination with the Logistics Section, will ensure that each location has all necessary equipment to carry out and complete the mission with maximum efficiency and efficacy.



## K. OPERATIONAL STRUCTURE (CHAIN OF COMMAND)



## AREAL EVACUATION AND RE-ENTRY

Incidents may arise that require localized (areal) evacuations be conducted out of concern for public health and safety. Just like with large scale evacuations initiated in response to widespread incidents, areal evacuations are beneficial tools that can be used to protect human life during various other types of localized incidents, such as hazardous material spills, explosive and/or incendiary devices near occupied areas, active assailant incidents, etc.

Typically, re-entry operations related to an areal evacuation are localized in nature and do not necessitate the process required of large-scale evacuations. With this in consideration, the Incident Commander on the scene will determine when conditions are safe for the return of the general public back into the affected area.

## 2018 Meetings Holiday Schedule

### Town Council @ 6:30p.m. 2019

Day	Date
Wednesday	January 2
Tuesday	February 5
Tuesday	March 5
Tuesday	April 2
Tuesday	May 7
Tuesday	June 4
	No July Meeting
Tuesday	August 6
Tuesday	September 3
Tuesday	October 1
Wednesday	November 6
Tuesday	December 3

### Planning Board @ 5:30p.m. 2019

Day	Date
Thursday	January 10
Thursday	February 14
Thursday	March 14
Thursday	April 11
Thursday	May 9
Thursday	June 13
Thursday	July 11
Thursday	August 8
Thursday	September 12
Thursday	October 10
Thursday	November 14
Thursday	December 12

### 2019 Town Holidays

Day	Date / Holiday
Monday	January 1 New Years Day
Monday	January 21 MLK
Friday	April 19 Good Friday
Monday	May 27 Memorial Day
Wednesday	July 4 Independence Day
Monday	September 2 Labor Day
Monday	November 11 Veterans Day
Thursday & Friday	Nov. 28&29 Thanksgiving
Tuesday-Friday	December 24-27 Christmas

### Work Session @ 9a.m. Community Center

3rd Friday of Every Month
*April Work Session April 12th *
*November Work Session November 22nd*
*No December Work Session*

### Bulk Item & Yard Debris Pickup

Pickup Type	Week
Yard Debris	April 6-12
Yard Debris	November 18-22
Bulk Item	May 6-10
Bulk Item	Sept. 16-20
Bulk Item	December 9-13

### 4 Town Meeting

Location	Date
Surf City	January 24
Topsail Beach	March-18
N. Topsail Beach	June-18
Holly Ridge	September-18

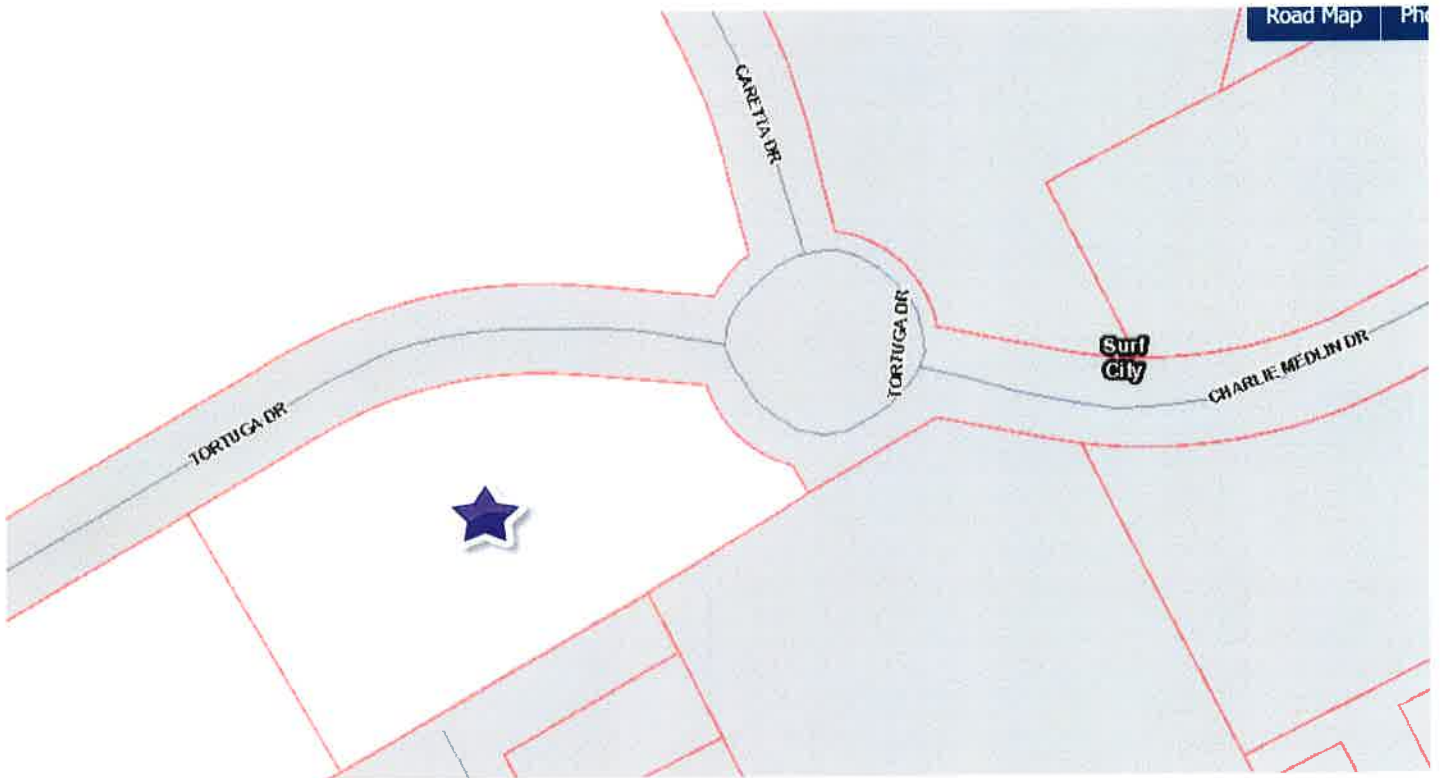
**PUBLIC HEARING FOR ANNEXATION  
TORTUGA DRIVE  
SEPT. 3, 2019**

**Action Requested**

Adopt the ordinance extending the corporate limits, amending the official zoning map & the consistency statement.

**Background**

A petition for 1.406 +/- acres contiguous annexation of property located on Tortuga Drive requested by Anthony Ricciardi.



Town Council  
Town of Surf City, North Carolina  
Po Box 2475  
Surf City, NC 28445

September 3, 2019

**No. 2019-03**

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE TOWN OF SURF CITY, NORTH CAROLINA

WHEREAS, the Surf City Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein: and

WHEREAS, the Surf City Council has by resolution directed the town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of annexation was held at the Surf City Community Center at 6:30 o'clock pm on the 3rd day of September 2019, after due notice by publication on the 15<sup>th</sup>, 22<sup>nd</sup>, & 29<sup>th</sup> day of August 2019; and

WHEREAS, the Town Council finds that the petition meets the requirement of G.S. 160A-31, as amended;

Now, Therefore be it ordained by the Town Council of Surf City, North Carolina;

Section 1, By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and incorporated as part of the Town of Surf City as of the 3<sup>rd</sup> day of September 2019.

Anthony Ricciardi  
Deed Book 4619 Page 1744  
1.406 +/- Acre Tract on Tortuga Drive  
**Topsail Township, Pender County, North Carolina**

Tract I:

Being all of Lot #1 (1.406 acres) as shown on map entitled, "Three Lot Subdivision on Public Road for Henry Allen Sullivan and Richard Ray Sullivan, Lot 1 & Lot 2", said map dated April 21, 2014 and prepared by Charles F. Riggs & Associates, Inc., and recorded in Map Book 57, Page 55, Pender County Registry, North Carolina.

Section 2. Upon and after the 3<sup>rd</sup> day of September 2019 the above describe territory and its citizens and property shall be subject to all debts, laws, ordinances and regulation in force in the Town of Surf City. Said territory shall be subject to the municipal taxes according to GS 160A-31(c), as amended.

Section 3. The Clerk of the Town of Surf City shall cause to be recorded in the office of the Register of Deeds of Pender County, and the office of the Secretary of State in Raleigh, North Carolina, and accurate map of the annexed property, described in Section 1 here of, together with a duly certified copy of the is ordinance.

Adopted the 3<sup>rd</sup> day of September 2019.

\_\_\_\_\_  
Douglas C. Medlin, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephanie Edwards Hobbs, Town Clerk

\_\_\_\_\_  
Brian Edes, Town Attorney

I, Windy H. Davis, Notary Public of said Pender County and State of North Carolina, do certify that Douglas C. Medlin., Town Attorney Charles Lanier, and Town Clerk Stephanie Edwards Hobbs appeared before me this day and executed this authorization document in my presence. Witness my hand and seal this \_\_3\_\_ day of \_\_September\_\_, 2019\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



## Town of Surf City

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SURF CITY, NORTH CAROLINA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN

WHEREAS, N.C.G.S.160A-385 authorizes local government to change or modify zone boundaries within their jurisdiction; and

WHEREAS, the amendments set out below are made in accordance with N.C.G.S. 160A-364 and Section 8.0 of the Zoning Ordinance.

THEREFORE, BE IT ORDAINED THAT:

Section 1. Being all of Lot #1 (1.406 acres) as shown on map entitled, "Three Lot Subdivision on Public Road for Henry Allen Sullivan and Richard Ray Sullivan, Lot 1 & Lot 2", said map dated April 21, 2014 and prepared by Charles F. Riggs & Associates, Inc., and recorded in Map Book 57, Page 55, Pender County Registry, North Carolina. Pender County parcel 4235-25-7470-0000. Deed Book 4619, Page 1744.

Section 2. The Town Clerk is hereby authorized and directed to change the Official Zoning Map on file in the Office of the Town Clerk so as to make it comply with this Ordinance.

Section 3. All ordinance or parts of the ordinances in conflict with this Ordinance, to the extent of such conflict, are hereby repealed.

Section 4. If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holdings shall not affect the validity of the remaining portion hereof.

Section 5. This is in compliance with all the adopted Town plans as has been found to be in the public's interest to be zoned MFC Multi-Family Cluster.

Section 6. This Ordinance shall be effective upon its adoption.

This Ordinance is adopted the 3<sup>rd</sup> September 2019.

ATTEST:

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Douglas C. Medlin, Mayor

---

Stephanie Edwards Hobbs, Town Clerk



**Town of Surf City**

**RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR  
THE APPROVAL OF**

**WHEREAS**, the Town of Surf City Council has reviewed the application for Anthony Ricciardi to annex Parcel number 4235-25-7470-0000, located on Tortuga Drive, as MFC Multi-Family Cluster (the “Amendment”) and finds that the same is consistent with Town of Surf City Land Use Plan, Zoning Ordinance, and all other adopted plans.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town of Surf City Council, that the Amendment and presented documentation are found to be consistent with city land use plans and are determined to be reasonable and in the public interest.

Adopted the 3<sup>rd</sup> day of September 2019.

---

Douglas C. Medlin, Mayor

ATTEST:

---

Stephanie Edwards Hobbs, Town Clerk



**RESOLUTION DIRECTING THE CLERK  
TO INVESTIGATE A PETITION FOR  
VOLUNTARY SATELLITE ANNEXATION  
AND SET A PUBLIC HEARING DATE FOR  
October 1, 2019**

**Action Requested**

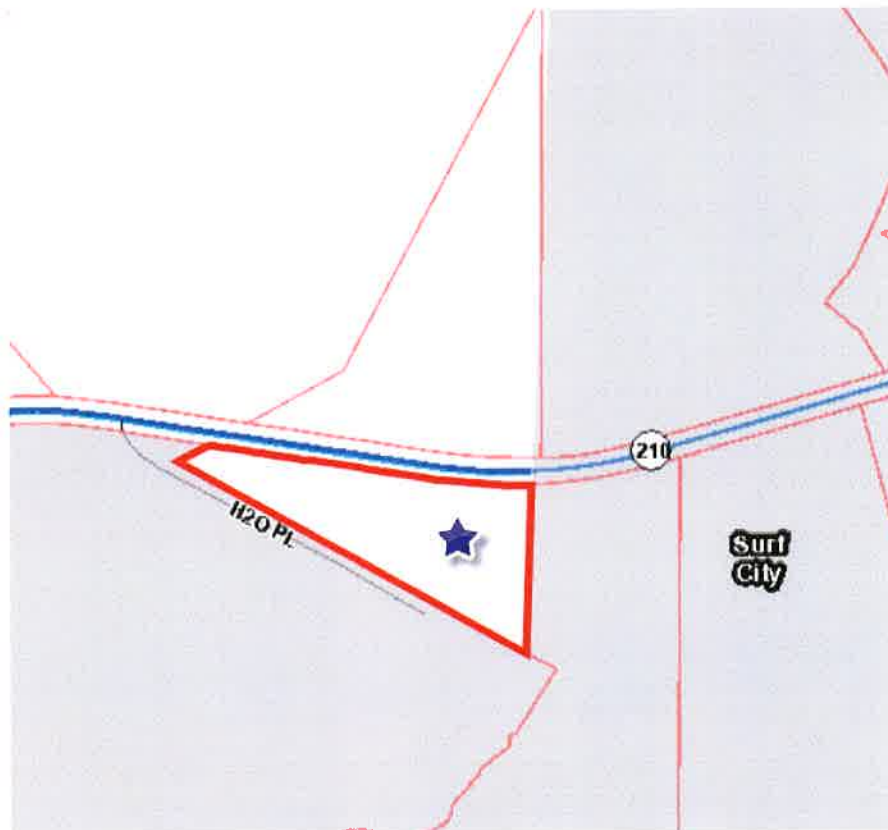
Adopt the resolution directing the clerk to investigate the petition for volunteer annexation submitted by One Day at a Time Now LLC setting the date of public hearing on the question of annexation and proposed zoning for October 1, 2019 at 6:30 pm.

**Background**

A petition for 3.7 +/- acres sate annexation of property located on Tortuga Lane.

**Action Needed**

1. Adopt the resolution directing the clerk to investigate the petition for satellite annexation.
2. Adopt the resolution setting the date of public hearing for October 1, 2019 at 6:30 pm.
3. Send property to the Planning Board for zoning recommendation.





Date: 8/7/19

To the Council of the Town of Surf City

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the Town of Surf City.
2. The area to be annexed is non-contiguous to the Town of Surf City and the boundaries of such territory are as follows:

Tax pin number: 4225-57-7163-0000 Tax map number: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

One Day AT A TIME NOW LLC

Janet Wilson

Print name

Janet P. Wilson

Signature

08/06/2019  
06:14 PM EDT

Print name

Signature

Print name

Signature

Print name

Signature

\*Also needed is:

- 1) Written Metes and Bounds description
- 2) Boundary survey including a vicinity map, no larger than 8 1/2 x 14

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Return this form to: Town Clerk, PO Box 2475, Surf City, NC 28445

THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT. IT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT. IT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT.

PROJECT NUMBER: 10-06-13

THIS IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT. IT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT. IT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR THE PURPOSES OF THE PROJECT.

ONE DAY AT A TIME NOW, LLC  
TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

ONE DAY AT A TIME NOW, LLC  
TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

ONE DAY AT A TIME NOW, LLC  
TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

ONE DAY AT A TIME NOW, LLC  
TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

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TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

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ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

CHARLES F. RIGGS & ASSOCIATES, INC. (C-790)  
LAND SURVEYING, ENGINEERING & COMPUTER MAPPING  
502 NEW BRIDGE STREET  
FARMINGTON, CT 06030-1579  
TELEPHONE: (860) 452-0877  
FAX: (860) 452-0877  
E-MAIL: cfriggs@cfra.com

ONE DAY AT A TIME NOW, LLC  
TRACT FOUR, DB, 3442, P. 328  
TOPSAIL, TOWNSHIP, PENDER COUNTY, NORTH CAROLINA  
ONE DAY AT A TIME NOW, LLC, OWNER, DB, 3442, P. 328  
NC HIGHWAY 210

PRELIMINARY PLAN  
NOT FOR RECORDATION  
CONVEYANCES OR SALES

ACTUAL FIELD SURVEY DATE: MAY 1, 2013  
FIELD BOOK: 101  
PROJECT NUMBER: 10-06-13

GRAPHIC SCALE  
1 inch = 40 feet

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# SURF CITY

## NORTH CAROLINA RESOLUTION No. 2019-21

### **RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on August 7, 2019 by the Surf City Town Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Surf City Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Surf City Town Council of Surf City, North Carolina deems it advisable to proceed in response to this request for annexation; and

NOW, THEREFORE, BE IT RESOLVED, BY THE Town Council of Surf City, North Carolina that:

The Surf City Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Surf City Town Council the result of her investigation.

---

Douglas C. Medlin, Mayor

Attest: \_\_\_\_\_  
Stephanie Edwards Hobbs, Town Clerk

One Day at a Time Now LLC



# SURF CITY

NORTH CAROLINA

RESOLUTION No. 2019-22

## **RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described herein said petition was received on August 7, 2019 by the Surf City Town Council; and

WHEREAS, the Town Council has by resolution directed the Surf City Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, BY THE Town Council of Surf City, North Carolina that:

Section 1: A public hearing on the question of annexation of the area described herein will be held at Surf City Town Hall at 6:30pm on October 1, 2019.

Section 2: The area proposed for annexation is described as follows:

Tract I:

Commencing at a point located where the centerline of NC Hwy 210 (60 foot right of way) intersects the centerline of NC Hwy 50 & NC Hwy 210 (60 foot right of way); and running thence along the centerline of NC Hwy 210 in a general Westerly direction approximately 1.35 miles to a P.K. Nail located over two 36 inch corrugated metal pipes; thence continuing along the said centerline in a general Westerly direction approximately 100.90 feet to a railroad spike, thence leaving the said centerline and running South 07 degrees 48 minutes 20 seconds West 30.00 feet to a point located along the Southern right of way of NC Hwy 210, said iron stake also being THE TRUE POINT OF BEGINNING: thence from the described beginning and leaving the said right of way and running South 07 degrees 48 minutes and 20 seconds West 380.64 feet to and existing railroad tee iron; thence North 53 degrees 25 minutes 00 seconds East 908.84 feet to an existing railroad tee iron; thence North 69 degrees 13 minutes 15 seconds East 77.42 feet to a point locate along the said Southern right of way of NC Hwy 210; thence along the said right of way the following course and distances: South 72 degrees 36 minutes 24 seconds East 17.76 feet to a point, thence South 72 degrees 46 minutes 03 seconds East 243.41 feet to a point, thence South 72 degrees 46 minutes 53 seconds East 137.64 feet to a point, thence South 73 degrees 27 minutes 33 seconds East 110.63 feet to a point, thence South 76 degrees 29 minutes 26 seconds East 89.72 feet to a point, thence South 80 degrees 10 minutes 22 seconds East 41.07 feet to the point and place of beginning. Containing 3.70 acres and being a portion of the property described in Deed Book 2269 Page 35, Deed Book 473 Page 83 and a portion of Map Book 13 Page 2 of the Pender County Registry. The courses contained herein are correct in angular relationship and is referenced to North as per Deed Book 2476 Page 280 of the Pender County Registry.

---

Douglas C. Medlin, Mayor

Attest: \_\_\_\_\_  
Stephanie Edwards Hobbs, Town Clerk

### **Certificate of Sufficiency**

To the Town Council of Surf City, North Carolina:

I, Stephanie Edwards Hobbs, Town Clerk, do hereby certify that I have investigated the petition of:

**One Day at a Time Now LLC**

**Hwy 210**

**Pender County Parcel Identification #: 4225-57-7163-0000**


**3.7 +/- Acres**

as directed by Town Council and found that; as fact that said petition is signed by all owners of real property lying in the area described therein, and in accordance with G.S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Surf City, this 21<sup>st</sup> day of August 2019.

(Seal)



  
Stephanie Edwards Hobbs, Town Clerk

# Surf City Pet Hospital

**Owner:** Dr. Deborah McArthur-Wicks

**Agent:** Tripp Engineering P.C.

**Lot Size:** 52,500 sq ft / 1.21 acres / 12.91% impervious surface

**Proposed Use:** Small Animal Hospital

**Zoning:** RA Rural Agricultural

**Location:** 304 Tortuga Lane

## **Action Requested:**

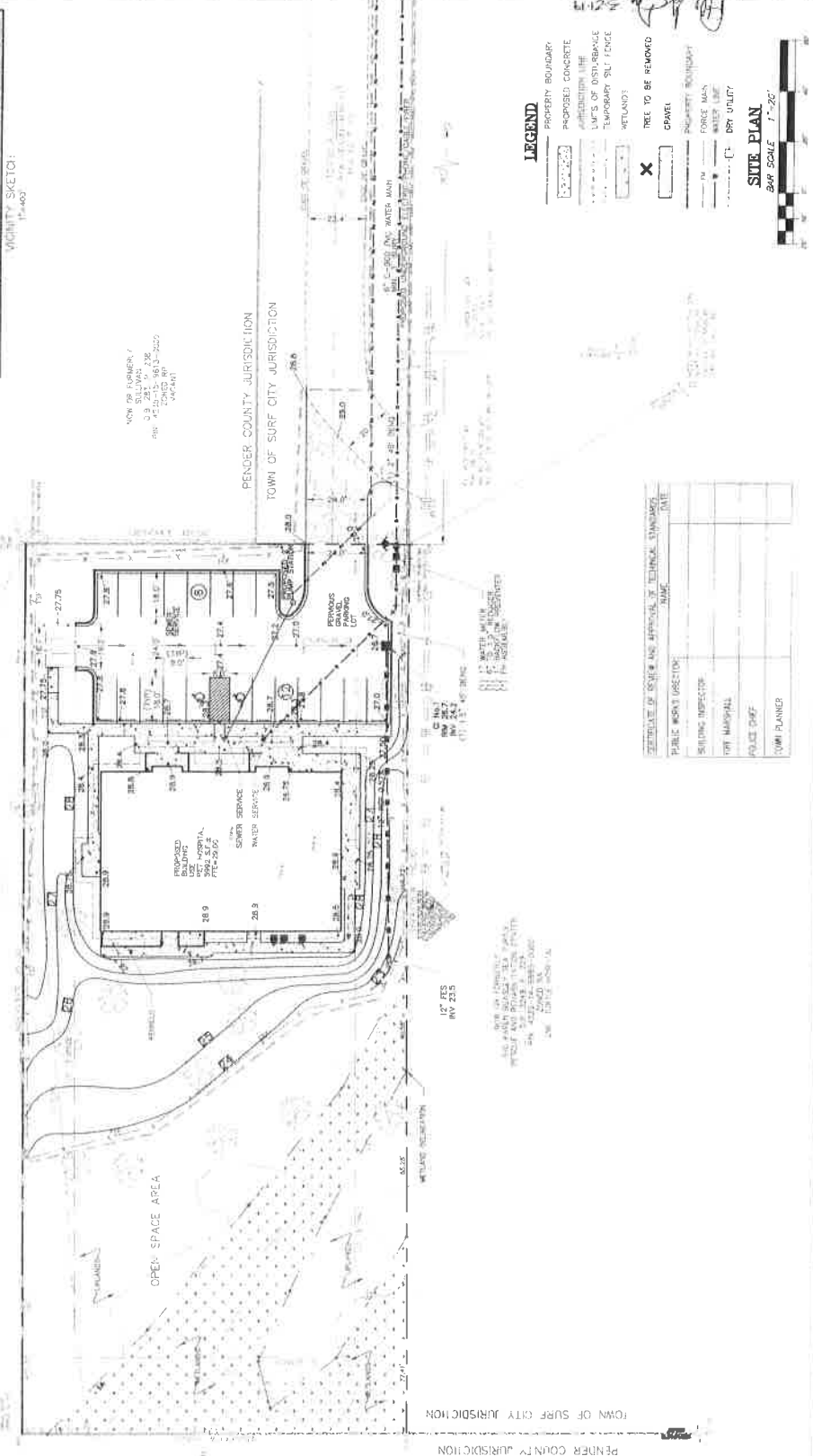
Planning Board recommends approval of the development plan as it meets all local ordinances and requirements.

## **Background:**

The applicant is seeking development plan approval for a 5,992 ft<sup>2</sup> veterinary hospital. A pervious gravel lot will be constructed on site.

The Technical Review Committee (TRC) has unanimously approved this project. The is adequate road connectivity for a fire apparatus and the site is close enough to a fire hydrant per the state fire code. The police department has no issues with this development. The Public Works Department has approved the submitted water and sewer connections. The parcel is at the end of Tortuga Lane which means that is not enough frontage to require street sidewalks. The zoning is approved with the land use, landscaping, and parking meeting town requirements.





DATE	NAME
	PUBLIC WORKS SECTION
	INSULING INSPECTOR
	BY MAIL
	PO BOX 1000
	WASH DC